

|   |                        |                                 |
|---|------------------------|---------------------------------|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No.    | 011314-1120                     |
|   | First Inventor         | John E. Irvine                  |
|   | Title                  | OPEN NETWORK STRUCTURAL MEMBERS |
|   | Express Mail Label No. | EV 269331909 US                 |

|   |  |
|---|--|
| <b>APPLICATION ELEMENTS</b><br><small>See MPEP Chapter 600 concerning utility patent application contents</small> | <b>ADDRESS TO:</b><br>Mail Stop Patent Application<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |
|---|--|

|   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><small>(Submit an original, and a duplicate for fee processing)</small>  | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)   |
| 2. <input type="checkbox"/> Applicant claims small entity status. See CFR 1.27  | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><small>(if applicable, all necessary)</small>   |
| 3. <input checked="" type="checkbox"/> Specification<br><small>(preferred arrangement set forth below)</small> [Total Pages <b>20</b> ] <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed. Sponsored R&amp;D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> | a. <input type="checkbox"/> Computer Readable Copy (CRF)  |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <b>5</b> ]   | b. <input type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input type="checkbox"/> Paper</li></ul>   |
| 5. Oath or Declaration [Total Pages <b>1</b> ] <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Newly Executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 CFR §1.63(d))<br/><small>(for continuation/divisional with Box 18 completed)</small><ul style="list-style-type: none"><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li></ul></li></ul>  | c. <input type="checkbox"/> Statements verifying identity of above copies   |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76<br><br>Assignee<br>Name and Address<br><small>(if applicable)</small><br><b>CMI Limited Company<br/>2141 Fairwood Avenue<br/>Columbus, Ohio 43207</b>   | <b>ACCOMPANYING APPLICATION PARTS</b> <ul style="list-style-type: none"><li>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; Documents(s))</li><li>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br/><small>(when there is an assignee)</small></li><li>11. <input type="checkbox"/> English Translation Document (if applicable)</li><li>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</li><li>13. <input type="checkbox"/> Preliminary Amendment</li><li>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/><small>(Should be specifically itemized)</small></li><li>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/><small>(if foreign priority is claimed)</small></li><li>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).<br/>Applicant must attach form PTO/SB/35 or its equivalent.</li><li>17. <input type="checkbox"/> Other:</li></ul> |

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

Prior application information: Examiner

Group / Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label **24504** (Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

|         |  |           |              |
|---------|--|-----------|--------------|
| NAME    | George M. Thomas<br>Thomas, Kayden, Horstemeyer & Risley, L.L.P. |           |              |
| ADDRESS | 100 Galleria Parkway<br>Suite 1750                               |           |              |
| CITY    | Atlanta  | STATE     | Georgia      |
| COUNTRY | U.S.A.   | TELEPHONE | 770-933-9500 |
|         |  | ZIP CODE  | 30339-5948   |
|         |  | FAX       | 770-951-0933 |

|                   |                         |                                   |              |
|-------------------|-------------------------|-----------------------------------|--------------|
| Name (Print/Type) | George M. Thomas        | Registration No. (Attorney/Agent) | 22,260       |
| Signature         | <i>George M. Thomas</i> | Date                              | Aug 21, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

17712 U.S. PTO  
08/21/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revisions.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**952.00**

## Complete If Known

|                      |             |
|----------------------|-------------|
| Application Number   | TBA         |
| Filing Date          | Herewith    |
| First Named Inventor | Irvine      |
| Examiner Name        | TBA         |
| Group / Art Unit     | TBA         |
| Attorney Docket No.  | 011314-1120 |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

20-0778

Deposit Account Name

Thomas, Kayden, Horstemeyer Risley, L.L.P.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid   |
|--------------|----------|--------------|----------|------------------------|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |            |
| 1001         | 750      | 2001         | 375      | Utility Filing Fee     | 750.00     |
| 1002         | 330      | 2002         | 165      | Design Filing Fee      |            |
| 1003         | 520      | 2003         | 260      | Plant Filing Fee       |            |
| 1004         | 750      | 2004         | 375      | Reissue Filing Fee     |            |
| 1005         | 160      | 2005         | 80       | Provisional Filing Fee |            |
| SUBTOTAL (1) |          |              |          |                        | (\$750.00) |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Extra Claims       |               | Fee From Below | Fee Paid |
|--------------------|---------------|----------------|----------|
| Total Claims       |               |                |          |
| Independent Claims | 29 - 20** = 9 | X 18.00 =      | 162.00   |
| Multiple Dependent | 3 - 3** = 0   | X 84.00 =      | 0        |
|                    |               | 140.00 =       |          |

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                         |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                     |
| 1204         | 84       | 2204         | 42       | **Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) |          |              |          |   |
| (\$162.00)   |          |              |          |   |

\*\*or number previously paid, if greater; For Reissues, see above

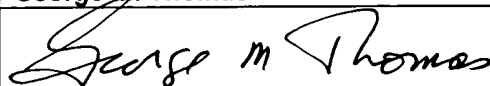
## FEES CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid  |
|---------------------|----------|--------------|----------|--|-----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |           |
| 1051                | 130      | 2051         | 65       | Surcharge-late filing fee or oath  |           |
| 1052                | 50       | 2052         | 25       | Surcharge-late provisional filing fee or cover sheet                       |           |
| 1053                | 130      | 1053         | 130      | Non-English specification  |           |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |           |
| 1804                | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |           |
| 1805                | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |           |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |           |
| 1252                | 410      | 2252         | 205      | Extension for reply within second month                                    |           |
| 1253                | 930      | 2253         | 465      | Extension for reply within third month                                     |           |
| 1254                | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |           |
| 1255                | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |           |
| 1401                | 320      | 2401         | 160      | Notice of Appeal   |           |
| 1402                | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |           |
| 1403                | 280      | 2403         | 140      | Request for oral hearing   |           |
| 1451                | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |           |
| 1452                | 110      | 2452         | 55       | Petition to revive-unavoidable   |           |
| 1453                | 1,300    | 2453         | 650      | Petition to revive-unintentional   |           |
| 1501                | 1,300    | 2501         | 650      | Utility issue fee (or reissue)   |           |
| 1502                | 470      | 2502         | 235      | Design issue fee   |           |
| 1503                | 630      | 2503         | 315      | Plant issue fee  |           |
| 1460                | 130      | 1460         | 130      | Petitions to the Commissioner  |           |
| 1807                | 50       | 1807         | 50       | Processing fee for provisional application                                 |           |
| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |           |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) | 40.00     |
| 1809                | 750      | 2809         | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |           |
| 1810                | 750      | 2810         | 375      | For each add. invention to be examined (37 CFR 1.129(b))                   |           |
| 1801                | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |           |
| 1802                | 900      | 1802         | 900      | Request for expedited exam. of a design application                        |           |
| Other fee (specify) |          |              |          |  |           |
| SUBTOTAL (3)        |          |              |          |  | (\$40.00) |

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

|                       |   |                  |              |                  |              |
|-----------------------|---|------------------|--------------|------------------|--------------|
| Typed or Printed Name | George M. Thomas  | Registration No. | 22,260       | Telephone Number | 770-933-9500 |
| Signature             |  | Date             | Aug 21, 2003 |                  |              |

WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **John E. Irvine**For: **OPEN NETWORK STRUCTURAL MEMBERS****CERTIFICATE OF EXPRESS MAIL**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

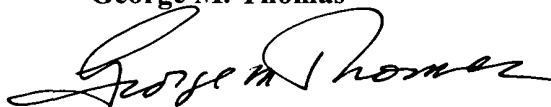
Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard  
Utility Patent Application Transmittal Page  
Fee Transmittal Page  
Utility Patent Application Consisting Of:  
11 Pages of Specification  
8 Pages of Claims (Claims 1-29)  
1 Page of Abstract  
5 Pages of Informal Drawings (Figs. 1-9)  
Executed Declaration For Patent Application (1 Page)  
Assignment Cover Sheet and Assignment (4 Pages)  
Credit Card Authorization Form in the amount of \$952.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

**George M. Thomas**

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**  
100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948

Our Docket No: **011314-1120**

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV 269331909 US**.

Date: 08-21-03  
**Marianne Boland**